

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

UNITED STATES OF AMERICA, §  
Plaintiff, §  
§  
v. §  
§  
ROBERT BROCKMAN, §  
Defendant. §

Case No. 4:21-CR-0009

**FILTER TEAM'S STATUS REPORT**

The filter team submits this status report.

**I. STATUS REPORT OF SEARCH WARRANTS**

On August 15, 2018, as part of an ongoing criminal investigation, agents from the Internal Revenue Service-Criminal Investigation (“IRS-CI”) executed two search warrants for the records and devices of an attorney. Those warrants were issued by this Court (U.S. Magistrate Judge Nancy K. Johnson), for the premises of the attorney’s home office and a storage unit. Robert Brockman (“Brockman”) was one of the attorney’s clients, and some of the seized documents related to him. During the execution of the search warrants, IRS-CI obtained approximately 54 boxes of documents and information from multiple electronic devices.

On January 24, 2019, following a hearing on the matter, the Court ordered additional filter protocols that included, in part, providing each potential privilege holder with the documents relating to that privilege holder, and then allowing that privilege holder sixty days to review the material and raise any privilege claims with the filter team. In the event of a disagreement between the filter team and the privilege holder, the filter team would be permitted to file a motion with the Court seeking a ruling on privilege. On May 10, 2019, the Court granted the Parties’ Joint Motion to proceed under the January 24, 2019 protocol.

In approximately July 2019, IRS-CI Special Agents completed the Attachment B review of the 54 boxes and electronic evidence and redacted information potentially privileged as to clients not identified in the search warrant affidavit. Following completion of the Attachment B review, in approximately December 2019, the filter team began reviewing the responsive documents with the goal of segregating and providing the documents that respectively related to each privilege holder. However, the filter team also represents the United States in another under seal matter in a different judicial district. To avoid violating a Court order issued in that matter the filter team ceased reviewing and segregating the responsive materials. The filter team does not currently have authorization from the Court in the other judicial district to disclose the proceeding.

## II. CONCLUSION

The filter team respectfully submits this status report.

Respectfully submitted,

RYAN K. PATRICK  
United States Attorney  
DAVID HUBBERT  
Deputy Assistant Attorney General

/s/  
JORGE ALMONTE (admitted *pro hac vice*)  
Assistant Chief  
ERIC B. POWERS (admitted *pro hac vice*)  
JESSICA MORAN (admitted *pro hac vice*)  
Trial Attorneys  
Department of Justice – Tax Division  
Northern Criminal Enforcement Section

**CERTIFICATE OF SERVICE**

I, Eric Powers, certify that a copy of the foregoing STATUS REPORT was served on all counsel of record via ECF on January 21, 2021.

/s/ Eric B. Powers

Eric B. Powers

Counsel for the United States – Filter Team